

EXHIBIT 1

From: owner-ext-track3defendants@groups.jonesday.com on behalf of Peter H. Weinberger <PWeinberger@spanglaw.com>
Sent: Monday, May 24, 2021 6:56 PM
To: Kate Swift; David R. Cohen; External User - Tara Fumerton
Cc: EXT Track3Defendants; MRopioidserve; pmougey@levinlaw.com; Josh Gay (jgay@levinlaw.com)
Subject: Re: Sampling of Prescriptions and Notes from Defendants' dispensed prescriptions

**** External mail ****

Kate:

Josh Gay is forwarding to you by dropbox momentarily the files broken down by year as you requested in your first paragraph below. The files which we served on Wednesday referenced the prescriptions by year and could have easily been sorted but we have now done that for you.

As for the second paragraph, you are correct that we have identified for you the prescriptions which hit on red flags from the original 27 and also hit on the Catizone flags. They number 884,166, about 40,000 more than our original estimate. But that is exactly what we intended to do and what we stated we would do to SM Cohen and the defendants on the Tuesday call after the status conference.

The final section of the McCann May 19th Supplemental Report does not introduce any additional red flag algorithms or additional flagged transactions. The section to which you refer in paragraph 3 simply reports the total number of prescriptions written or dispensed after the first Combination Red Flagged Prescription written by prescribers (Paragraph 6) or dispensed to patients (paragraph 7). The prescriptions identified in Section V are illustrative of the continuing ramifications of the Defendants' due diligence failures with regard to the 884,166 prescriptions which hit on red flags from the original 27 which also hit on the Catizone flags.

Pete

From: Kate Swift <kate.swift@bartlitbeck.com>
Sent: Friday, May 21, 2021 6:20 PM
To: Peter H. Weinberger <PWeinberger@spanglaw.com>; David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; External User - Tara Fumerton <tfumerton@JonesDay.com>
Cc: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; External User - John Gisleson <john.gisleson@morganlewis.com>; mdl2804discovery@motleyrice.com; Jonathan Jaffe <jjaffe@its-your-internet.com>
Subject: RE: Sampling of Prescriptions and Notes from Defendants' dispensed prescriptions

Pete,

Plaintiffs did not provide each defendant with the “universe for each year of data at issue,” as the parties agreed. To use what plaintiffs provided, our consultants would have to create separate universes for each year from the file provided before running the random sample. We ask that plaintiffs provide separate files for each universe by year, going back to 2010, so that we do not have to do that.

In addition, please confirm that the overall universe of “red flag” prescriptions that plaintiffs intend to rely on at trial is the universe of **884,166** prescriptions flagged by at least one of the original 27 flags and one of the new 16 flags. That appears to be the universe identified in McCann’s May 19 report, but it is different than what plaintiffs said they intended to do in opposition to our motion to strike, and identifies more prescriptions than plaintiffs said they would rely on. See Doc. 3719 at 5 (“These eleven ‘highlighted’ computations capture a little more than 2 million red flagged prescriptions. Approximately **840,000** of those prescriptions are also captured by the set of 27 computations that were identified in June 2020.”); *see id.* at 1 (“Plaintiffs have requested that this random sampling be performed on the universe of approximately 840,000 overlapping prescriptions which were flagged both by the 27 computations set out in Plaintiffs’ June 2020 red flag submission and the additional computations arising from Carmen Catizone’s expert report.”).

Moreover, McCann includes a brand new section at the end of his May 19 report that puts in play for the first time more than **4 million** additional prescriptions. This appears to be an impermissible end run around the limitation to 840,000 overlapping red flagged prescriptions, which Plaintiffs chose in order to keep the trial date. Please confirm that Plaintiffs will not mention, use, or rely upon this new mammoth set of prescriptions at trial.

BartlitBeck LLP

Katherine M. Swift | p: 312.494.4405 | c: 773.531.6118 | Kate.Swift@BartlitBeck.com | Courthouse Place, 54 West Hubbard Street, Chicago, IL 60654

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: owner-ext-track3defendants@groups.jonesday.com <owner-ext-track3defendants@groups.jonesday.com> **On Behalf Of** Peter H. Weinberger

Sent: Thursday, May 20, 2021 7:26 PM

To: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; External User - Tara

Fumerton <tfumerton@JonesDay.com>

Cc: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; External User - John Gisleson <john.gisleson@morganlewis.com>; mdl2804discovery@motleyrice.com; Jonathan Jaffe <jjaffe@its-your-internet.com>

Subject: RE: Sampling of Prescriptions and Notes from Defendants' dispensed prescriptions

**** External mail ****

Tara –

I believe we are ready for step 2 of our agreement below to proceed. We need to know each defendants' random number generator.

Pete

From: Peter H. Weinberger

Sent: Thursday, May 13, 2021 4:16 PM

To: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; Fumerton, Tara A. <tfumerton@jonesday.com>

Cc: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; Gisleson (External), John <john.gisleson@morganlewis.com>; mdl2804discovery@motleyrice.com; Jonathan Jaffe <jjaffe@its-your-internet.com>

Subject: Sampling of Prescriptions and Notes from Defendants' dispensed prescriptions

SM Cohen:

Pursuant to Judge Polster's order of May 7, 2021, the following contains the terms of our agreement with the Pharmacy Defendants regarding the retrieval of a random sample of the red flagged prescriptions and all notes associated with those prescriptions. The universe against which the sample will be chosen is the approximately 840K prescriptions flagged by both the 27 red flags disclosed in June 2020 and the 16 Catizone red flags disclosed in his report of 4/16/2021:

1. After Plaintiffs advise Defendants which “red flags” they intend to rely on and use to select the universe from which the sample will be chosen, Plaintiffs will provide each defendant with that universe for each year of data at issue and the code that was used to identify those prescriptions as having the selected red flags. (Defendants will be able to use the code to verify/test that the provided universes have the “red flags” Plaintiffs contend they have).
2. Each Defendant will then advise the Plaintiffs what random number generator they intend to use. Different defendants’ analysts may use different random number generators. Each Defendant agrees to use a generally accepted random number generator that employs a random seed.
3. After 1 and 2 have occurred, Special Master Cohen will send an email to Defendants and Plaintiffs simultaneously providing the random seed. (Defendants will let SM Cohen know how many digits they want the seed to have).
4. Defendants will advise Plaintiffs of the samples that were generated for each Defendant by year. (Using the random number generator and random seed, Plaintiffs will be able to verify and duplicate that the samples were generated randomly by this methodology).

Pete

From: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>
Sent: Wednesday, May 12, 2021 11:22 PM
To: Peter H. Weinberger <PWeinberger@spanglaw.com>; Fumerton, Tara A. <tfumerton@jonesday.com>
Cc: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; Gisleson (External), John <john.gisleson@morganlewis.com>; mdl2804discovery@motleyrice.com; Andrew Arnold <aarnold@motleyrice.com>
Subject: Re: CT3 Plaintiff Expert Depositions

Hi -

With regard to the experts who will **not** be amending their opinions regarding Red Flags, depositions of those experts should occur as soon as possible. This applies to: Lembke, Malone, Alexander, Young, Keyes, Rosen, & Rafalski. Please confer and schedule these right away.

With regard to the experts who **will** be amending their opinions regarding Red Flags, the deposition of each such expert should occur as soon as possible after the amended report is issued, but at least one week after the amended report is issued, to allow Ds to absorb the new

information. As noted, Ps should identify for Ds where the amended bits are in these reports (for example, by paragraph and page). This applies to: Cutler, Catizone, & McCann.

With regard to the experts who will be issuing later supplemental opinions to address Notes Fields -- being Lembke, Catizone, Rafalski, and McCann -- Ds will be allowed to depose those experts for an additional period of time after the supplemental opinions are issued. In similar fashion, the same amount of extra depo time will occur for Ds' experts who issue supplemental responsive opinions. You all can discuss how much additional depo time will be allowed - to be used **only** to address the supplemental Notes Field opinions. If you cannot agree I will decide. One way to skin this cat is to agree to a total amount of time for these supplemental depositions for all experts, to be divided as you all see fit, rather than a set amount of additional time per expert.

We will need to set deadlines for the supplemental opinions and responsive opinions, as well as associated deadlines for supplemental depositions and Daubert briefing. This will in turn depend on Notes Fields discovery completion. Please confer and let me know if you can agree on any of these deadlines.

-David

=====

This email sent from:
David R. Cohen Co. LPA
24400 Chagrin Blvd., Suite 300
Cleveland, OH 44122
216-831-0001 tel
866-357-3535 fax
www.SpecialMaster.law

From: Peter H. Weinberger <PWeinberger@spanglaw.com>
Sent: Wednesday, May 12, 2021 9:24 PM
To: David Cohen <david@davidrcohen.com>; Fumerton, Tara A. <tfumerton@jonesday.com>
Cc: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; Gisleson (External), John <john.gisleson@morganlewis.com>; mdl2804discovery@motleyrice.com <mdl2804discovery@motleyrice.com>; Andrew Arnold <aarnold@motleyrice.com>
Subject: Re: CT3 Plaintiff Expert Depositions

Dr. Alexander is available 5/27 or 5/28.

Sent from my iPhone

On May 12, 2021, at 11:20 AM, Peter H. Weinberger <PWeinberger@spanglaw.com> wrote:

SM Cohen and Pharmacy Defendants:

In furtherance to our discussion yesterday and my commitments to you, we have prepared the following chart:

Expert Name	Original Date of Depo	New Proposed Date(s) weeks of 5/17 and 5/24	Need to Amend/Supplement – Reliance on Red flagged 840K scripts disclosed in 6/2020 (27 flags) and Catizone 16 Red Flags that overlap with those scripts
Cutler, David	5/12/21	5/25 OR 5/28 11:30 AM start time	YES
Lembke, Anna	5/13/21	5/28/21	NO
Malone, Dan	5/13/21	5/28/21	NO
Alexander, G. Caleb	5/14/21		NO
Young, Nancy	5/14/21	5/25/21	NO
Catizone, Carmen	5/19/21 & 5/20/21		YES
Keyes, Katherine	5/19/21	5/28/21	NO

Rosen, Harvey	Needs to be re-scheduled		NO
Rafalski, James	5/20/21		NO
McCann, Craig	5/21/21		YES

On the timing of the amended/supplemental reports for Cutler, Catizone, and McCann reflected in the fourth column from the left, McCann has been on the witness stand since Monday morning in CT 2 and remains on the stand today and since we are under an order not to speak with him while he is testifying, I cannot predict exactly when his report will be completed. My hope is by early next week as opposed to late this week because I thought he would be available to us by now. When his report is produced, we believe we can turn around Cutler and Catizone reports quickly – like within 48 hours of McCann’s report. I have left blanks on the proposed depo dates for McCann and Catizone but I would think it would likely be the week of June 1st – probably more toward the end of the week. It is possible that the Cutler proposed depo dates might be impacted also. That obviously would require some additional time beyond 6/4 for the defendants to produce expert reports on issues covered by those three plaintiffs experts.

On the Notes field/sampling issue, I did receive from Kelly Moore the agreement that she negotiated with one of our tech people but I need to run the proposed agreement by our data expert (McCann). See above.

The chart above proposes dates for 4 experts whose opinions are not impacted by the McCann amended/supplemental report within the time frame ending on 5/28. I am waiting to hear back from Dr. Alexander re available dates. We need to work on a date for Rafalski who is testifying in CT 2 the week of 5/24.

I trust this is helpful. I am unavailable the rest of today but generally available all day tomorrow to further communicate about this.

SM Cohen, plaintiffs appreciate your patience and assistance in negotiating a pathway for these expert associated issues.

Pete

From: David Cohen <david@davidrcohen.com>
Sent: Monday, May 10, 2021 10:25 PM
To: Peter H. Weinberger <PWeinberger@spanglaw.com>; Fumerton, Tara A. <tfumerton@jonesday.com>
Cc: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; David Ko <dko@kellerrohrback.com>; Paulina doAmaral <Pdoamaral@lchb.com>; Arbitblit, Donald C. <darbitblit@lchb.com>; Arnold, Andrew P. <aarnold@motleyrice.com>; Flowers, Jodi <jflowers@motleyrice.com>; Kouba, Annie <akouba@motleyrice.com>; Ann Ritter <aritter@motleyrice.com>; Laura Fitzpatrick <lfitzpatrick@simmonsfirm.com>; Conroy (External), Jayne <jconroy@simmonsfirm.com>; Holly Nighbert <hnighbert@simmonsfirm.com>; Salvatore C. Badala <SBadala@napolilaw.com>; Sheila Schebek <SMS@spanglaw.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; Gisleson (External), John <john.gisleson@morganlewis.com>
Subject: Re: CT3 Plaintiff Expert Depositions

As a general matter I agree that a short extension of most/all expert depo dates is not unreasonable, but I also would like you not to bump **everything** if some of it can hold.

-d

=====
This email sent from:
David R. Cohen Co. LPA
24400 Chagrin Blvd., Suite 300
Cleveland, OH 44122
216-831-0001 tel
866-357-3535 fax
www.SpecialMaster.law

From: Peter H. Weinberger <PWeinberger@spanglaw.com>
Sent: Monday, May 10, 2021 9:41 PM
To: Fumerton, Tara A. <tfumerton@jonesday.com>
Cc: David R. Cohen (<David@SpecialMaster.Law>) <david@specialmaster.law>; Ellyn Hurd <ehurd@simmonsfirm.com>; EXT Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>; David Ko <dko@kellerrohrback.com>; Paulina doAmaral <Pdoamaral@lchb.com>; Arbitblit, Donald C. <darbitblit@lchb.com>;

Arnold, Andrew P. <aarnold@motleyrice.com>; Flowers, Jodi <jflowers@motleyrice.com>; Kouba, Annie <akouba@motleyrice.com>; Ann Ritter <aritter@motleyrice.com>; Laura Fitzpatrick <lfitzpatrick@simmonsfirm.com>; Conroy (External), Jayne <jconroy@simmonsfirm.com>; Holly Nighbert <hnighbert@simmonsfirm.com>; Salvatore C. Badala <SBadala@napolilaw.com>; Sheila Schebek <SMS@spanglaw.com>; Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>; Wright, Jason C. <jcwright@jonesday.com>; Gisleson (External), John <john.gisleson@morganlewis.com>

Subject: Re: CT3 Plaintiff Expert Depositions

Ok with 930 am eastern but my phone window is only 15 minutes at that time. Then not available until 1 pm.

Sent from my iPhone

On May 10, 2021, at 9:08 PM, Fumerton, Tara A. <tfumerton@jonesday.com> wrote:

Pete — Are you available to chat tomorrow morning at 8:30 CT/9:30 ET to see if we can work all this out or at least narrow the disputes?

If yes, I'll circulate an invite.

Thanks,

Tara

Tara A. Fumerton ([bio](#))
Partner
[JONES DAY® - One Firm WorldwideSM](#)
[77 West Wacker Drive](#)
[Chicago, IL 60601-1692](#)
Office [+1.312.269.4335](#)
tfumerton@jonesday.com

From: Peter H. Weinberger <PWeinberger@spanglaw.com>

Date: Monday, May 10, 2021, 7:28 PM

To: David R. Cohen (David@SpecialMaster.Law)
<david@specialmaster.law>, Fumerton, Tara A.
<tfumerton@JonesDay.com>, Ellyn Hurd <ehurd@simmonsfirm.com>, EXT
Track3Defendants <EXT-TRACK3DEFENDANTS@groups.jonesday.com>

Cc: David Ko <dko@kellerrohrback.com>, Paulina doAmaral
<Pdoamaral@lchb.com>, Arbitblit, Donald C. <darbitblit@lchb.com>,
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<hnighbert@simmonsfirm.com>, Salvatore C. Badala
<SBadala@napolilaw.com>, Sheila Schebek <SMS@spanglaw.com>,
Zinsmaster, Kristin K. <kzinsmaster@jonesday.com>, Wright, Jason C.
<jcwright@JonesDay.com>, Gisleson (External), John
<john.gisleson@morganlewis.com>

Subject: Re: CT3 Plaintiff Expert Depositions

**** External mail ****

We can move Lembke to 5/28 but need confirmation asap.

Sent from my iPhone

On May 10, 2021, at 7:18 PM, Peter H. Weinberger
<PWeinberger@spanglaw.com> wrote:

SM Cohen –

I think a call around 3 pm tomorrow is doable and I will be in a position to discuss the issues raised in your email at that time. We believe that the scheduled depositions this week of Alexander, Malone, and Young should proceed as scheduled. I think we have already cancelled or rescheduled Cutler who was scheduled this week. And we are going to reschedule Lembke.

Pete

From: David R. Cohen (David@SpecialMaster.Law)
<david@specialmaster.law>
Sent: Monday, May 10, 2021 5:41 PM
To: Peter H. Weinberger
<PWeinberger@spanglaw.com>; David R. Cohen
(David@SpecialMaster.Law)
<david@specialmaster.law>; Fumerton, Tara A.
<tfumerton@JonesDay.com>; Ellyn Hurd
<ehurd@simmonsfirm.com>; EXT Track3Defendants
<EXT-TRACK3DEFENDANTS@groups.jonesday.com>
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<SMS@spanglaw.com>; Zinsmaster, Kristin K.
<kzinsmaster@jonesday.com>; Wright, Jason C.
<jcwright@JonesDay.com>; Gisleson (External), John
<john.gisleson@morganlewis.com>
Subject: Re: CT3 Plaintiff Expert Depositions

I am available to discuss these issues at the following times:

tomorrow Tuesday between noon-5:00p

Wednesday after 6:00p

Thursday 10:00a-5:00p

Ps should first solidify their positions and confer with Ds and try to come to as much agreement as possible. Let me know when you all want to chat.

-d

=====

This email sent from:
David R. Cohen Co. LPA
24400 Chagrin Blvd., Suite 300
Cleveland, OH 44122
216-831-0001 tel
866-357-3535 fax
www.SpecialMaster.law

From: Peter H. Weinberger
<PWeinberger@spanglaw.com>
Sent: Monday, May 10, 2021 5:26 PM
To: David R. Cohen (David@SpecialMaster.Law)
<david@specialmaster.law>; Fumerton, Tara A.
<tfumerton@JonesDay.com>; Ellyn Hurd
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<john.gisleson@morganlewis.com>
Subject: RE: CT3 Plaintiff Expert Depositions

SM Cohen:

We are unable to provide a rapid response – meaning like tonite. But I can promise we are addressing this as quickly as possible – including item No. 1 of your email. McCann (our data expert) is testifying in W. Va all day today and I would assume tomorrow also but I have not talked to the W. Va team – Mougey particularly.

There are 4 depositions this week – Malone, Lembke, Young, and Alexander. I have emailed those expert teams with the defendants' email. I need time to consult with them. I am defending the Malone deposition and frankly at first blush don't see any reason why his deposition on Thursday should be postponed.

On the notes field issue, we suggested a randomization methodology to you and the defendants did not agree and we don't agree to their methodology response.

That's the best I can do at 5:26 pm.

Pete

From: David R. Cohen (David@SpecialMaster.Law)
<david@specialmaster.law>
Sent: Monday, May 10, 2021 5:06 PM
To: Fumerton, Tara A. <tfumerton@JonesDay.com>;
Ellyn Hurd <ehurd@simmonsfirm.com>; EXT
Track3Defendants <[EXT-
TRACK3DEFENDANTS@groups.jonesday.com](mailto:EXT-TRACK3DEFENDANTS@groups.jonesday.com)>
Cc: David Ko <dko@KellerRohrback.com>; Paulina
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<jcwright@JonesDay.com>; Gisleson (External), John
<john.gisleson@morganlewis.com>

Subject: Re: CT3 Plaintiff Expert Depositions

I agree we need to address this asap.

I also wonder: (1) whether Ps can respond with methodology sooner than 5/14; (2) whether there is agreement on how randomization will work (the suggestion that was floated earlier seemed reasonable to me); and (3) whether any of Ps expert depos other than Catizone and McCann need to be moved, and whether Ds' expert reports that are not responsive to those two need to be moved.

Ps should respond asap and if we need to have a chat let's do it.

-d

=====

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David R. Cohen Co. LPA
24400 Chagrin Blvd., Suite 300
Cleveland, OH 44122
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From: Fumerton, Tara A. <tfumerton@JonesDay.com>
Sent: Monday, May 10, 2021 4:58 PM
To: Ellyn Hurd <ehurd@simmonsfirm.com>; EXT
Track3Defendants <[EXT-
TRACK3DEFENDANTS@groups.jonesday.com](mailto:EXT-TRACK3DEFENDANTS@groups.jonesday.com)>
Cc: David Ko <dko@KellerRohrback.com>; Paulina
doAmaral <Pdoamaral@lchb.com>; Arbitblit, Donald C.
<darbitblit@lchb.com>; Pete Weinberger
<PWeinberger@spanglaw.com>; Arnold, Andrew P.
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Jayne <jconroy@simmonsfirm.com>; Holly Nighbert
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<jcwright@JonesDay.com>; Gisleson (External), John
<john.gisleson@morganlewis.com>; David R. Cohen
(David@SpecialMaster.Law)
<david@specialmaster.law>; David Cohen
<david@davidrcohen.com>
Subject: RE: CT3 Plaintiff Expert Depositions

Dear Plaintiffs' Counsel – In light of Judge Polster's rulings at Friday's status conference, and the uncertainty concerning plaintiffs' red flag methodology and which of plaintiffs' expert reports will be amended, the pharmacy defendants are requesting that there be at least a 1 week adjustment (and corresponding extension) in expert discovery. Specifically, the pharmacy defendants request that:

1. The depositions of plaintiffs' experts currently set for the week of 5/10/21 be rescheduled.
2. The parties will tentatively hold open the weeks of 5/17 and 5/24 for any plaintiffs' experts depositions that the parties agree should proceed.
3. The pharmacy defendants' expert report deadline will be extended to at least 6/4/21.

4. The parties will meet and confer in good faith after plaintiffs' announcement on Friday to set the remaining expert discovery schedule based on (a) plaintiffs' choice of methodology on Friday 5/14; (b) plaintiffs' commitment concerning which expert reports will not be amended in light of (i) their choice of red flag methodology and (ii) the pharmacy defendants' production of notes fields.

We have copied Special Master Cohen on this message given the urgency of the issue. Please let us know ASAP if plaintiffs agree to the above or we suggest we get on a call with Special Master Cohen.

Thanks,

Tara

Tara A. Fumerton ([bio](#))
Partner
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Office +1.312.269.4335
tfumerton@jonesday.com

From: [owner-ext-track3defendants@groups.jonesday.com](#) <[owner-ext-track3defendants@groups.jonesday.com](#)> **On Behalf Of** Ellyn Hurd
Sent: Friday, May 7, 2021 6:15 PM
To: EXT Track3Defendants <[EXT-TRACK3DEFENDANTS@groups.jonesday.com](#)>
Cc: David Ko <[dko@KellerRohrback.com](#)>; Paulina doAmaral <[Pdoamaral@lchb.com](#)>; Arbitblit, Donald C. <[darbitblit@lchb.com](#)>; Pete Weinberger <[PWeinberger@spanglaw.com](#)>; Arnold, Andrew P. <[aarnold@motleyrice.com](#)>; Flowers, Jodi <[jflowers@motleyrice.com](#)>; Kouba, Annie <[akouba@motleyrice.com](#)>; Ann Ritter <[aritter@motleyrice.com](#)>; Laura Fitzpatrick <[lfitzpatrick@simmonsfirm.com](#)>; Conroy (External), Jayne <[jconroy@simmonsfirm.com](#)>; Holly Nighbert

<hnighbert@simmonsfirm.com>; Salvatore C. Badala

<SBadala@NapoliLaw.com>; Shelia Schebek

<SMS@spanglaw.com>

Subject: CT3 Plaintiff Expert Depositions

**** External mail ****

Counsel –

For those depositions going forward next week, below please find the witness and lawyer addresses, along with a link to the CT3 invoices. We will get you the address for Dr. Alexander as soon as possible.

Expert Name	Date of Depo	Witness Address	Lawyer Address
Cutler, David	5/12/21	Dr. David Cutler 200 State Street, 9th Floor Boston, MA 02109 **Please send with No signature required	David Ko 1201 Third Avenue, Suite 3200 Seattle, WA 98101
Lembke, Anna	5/13/21	Dr. Anna Lembke 2255 Wellesley Street Palo Alto, CA 94306 (650) 843—0131	Donald Arbitblit 988 Creston Road Berkeley, CA 94708 (510) 528-4243
Malone, Dan	5/13/21	Mr. Dan Malone 11020 North Canada Ridge Dr., Oro Valley, Ariz 85737	Peter H. Weinberger 16532 Cellini Lane, Naples FL, 34110
Alexander, G. Caleb	5/14/21		Andrew Arnold Rm 346 28 Bridgeside Blvd Mount Pleasant, SC 29464
Young, Nancy	5/14/21	Dr. Nancy Young 5680 Coe Estates Court Las Vegas, NV 89149	Jodi Flowers Motley Rice LLC 28 Bridgeside Blvd. Mt. Pleasant, SC 29464

Thank you,

Ellyn H. Hurd*
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Simmons Hanly Conroy
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212 784 6400 office
508 560 6488 cell
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